

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

H. CRISTINA CHEN-OSTER; SHANNA ORLICH;
ALLISON GAMBA; and MARY DE LUIS,

Plaintiffs,

No. 10 Civ. 6950 (AT)(RWL)

-against-

GOLDMAN, SACHS & CO. and THE GOLDMAN
SACHS GROUP, INC.,

Defendants.

**DECLARATION OF ADAM T. KLEIN IN SUPPORT OF PLAINTIFFS’
MOTION FOR SUMMARY JUDGMENT ON PLAINTIFFS’ *PRIMA FACIE*
CASE OF DISPARATE IMPACT**

I, Adam T. Klein, declare as follows:

1. I am the Managing Partner of Outten & Golden LLP in New York, New York, which along with our co-counsel Lieff Cabraser Heimann & Bernstein LLP, are Plaintiffs’ counsel herein. I am an attorney in good standing admitted to practice in the State of New York and before this Court. I make these statements based on personal knowledge in support of Plaintiffs’ Motion for Summary Judgment on Plaintiffs’ *Prima Facie* Case of Disparate Impact.

Exhibits

2. Attached are true and correct copies of the following documents:
- a. Attached as Attached hereto as Exhibit 1 is a true and correct copy of the transcript of the July 31, 2013 and August 1, 2013 Deposition of Jessica Kung.

- b. Attached hereto as Exhibit 2 is a true and correct copy of the transcript of the July 10, 2013 & July 11, 2013 Deposition of Caroline Heller-Sherloti.
- c. Attached hereto as Exhibit 3 is a true and correct copy of the transcript of the June 12, 2013 Deposition of Bruce Larson.
- d. Attached hereto as Exhibit 4 is a true and correct copy of the transcript of the October 10, 2013 Deposition of David Landman.
- e. Attached hereto as Exhibit 5 is a true and correct copy of the Declaration of David Landman, filed with the Court on October 13, 2017 as ECF No. 546-1.
- f. Attached hereto as Exhibit 6 is a true and correct copy of the transcript of the August 13, 2020 Deposition of Anilu Vazquez-Ubarri.
- g. Attached hereto as Exhibit 7 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0380249 to GS0380249.
- h. Attached hereto as Exhibit 8 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0098769 to GS0098792.
- i. Attached hereto as Exhibit 9 is a true and correct copy of a document entitled "[REDACTED]
[REDACTED]", bates stamped as GS0003383 to GS0003391.
- j. Attached hereto as Exhibit 10 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0120172 to GS0120194.

- k. Attached hereto as Exhibit 11 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0120195 to GS0120225.
- l. Attached hereto as Exhibit 12 is a true and correct copy of a document entitled "[REDACTED]
[REDACTED]", bates stamped as GS0121383 to GS0121403.
- m. Attached hereto as Exhibit 13 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0120828 to GS0120853.
- n. Attached hereto as Exhibit 14 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0110583 to GS0110602.
- o. Attached hereto as Exhibit 15 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0110603 to GS0110625.
- p. Attached hereto as Exhibit 16 is a true and correct copy of a document entitled "[REDACTED]
[REDACTED]", bates stamped as GS0005283 to GS0005291.
- q. Attached hereto as Exhibit 17 is a true and correct copy of the March 19, 2021 Expert Report of Kathryn Shaw, Ph.D.
- r. Attached hereto as Exhibit 18 is a true and correct copy of the January 15, 2021 Expert Report of Henry S. Farber.

- s. Attached hereto as Exhibit 19 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0155193 to GS0155195.
- t. Attached hereto as Exhibit 20 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0153032 to GS0153033.
- u. Attached hereto as Exhibit 21 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0153290 to GS0153295.
- v. Attached hereto as Exhibit 22 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0109353 to GS0109365.
- w. Attached hereto as Exhibit 23 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0109390 to GS0109399.
- x. Attached hereto as Exhibit 24 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0126057 to GS0126061.
- y. Attached hereto as Exhibit 25 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0136548 to GS0136553.

- z. Attached hereto as Exhibit 26 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0153035 to GS0153040.
- aa. Attached hereto as Exhibit 27 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0450859 to GS0450866.
- bb. Attached hereto as Exhibit 28 is a true and correct copy of an Email Thread with the subject line "[REDACTED]", bates stamped as GS0153476 to GS0153476.
- cc. Attached hereto as Exhibit 29 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0484728 to GS0484730.
- dd. Attached hereto as Exhibit 30 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0637321 to GS0637323.
- ee. Attached hereto as Exhibit 31 is a true and correct copy of a document entitled "[REDACTED]
[REDACTED]", bates stamped as GS0637303 to GS0637309.
- ff. Attached hereto as Exhibit 32 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0440622 to GS0440629.

- gg. Attached hereto as Exhibit 33 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0456223 to GS0456230.
- hh. Attached hereto as Exhibit 34 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0113858 to GS0113882.
- ii. Attached hereto as Exhibit 35 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0123223 to GS0123266.
- jj. Attached hereto as Exhibit 36 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0123267 to GS0123294.
- kk. Attached hereto as Exhibit 37 is a true and correct copy of a document entitled "[REDACTED]
[REDACTED]", bates stamped as GS0123295 to GS0123323.
- ll. Attached hereto as Exhibit 38 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0113568 to GS0113589.
- mm. Attached hereto as Exhibit 39 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0113548 to GS0113567.

- nn. Attached hereto as Exhibit 40 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0109256 to GS0109272.
- oo. Attached hereto as Exhibit 41 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0109329 to GS0109349.
- pp. Attached hereto as Exhibit 42 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0109273 to GS0109298.
- qq. Attached hereto as Exhibit 43 is a true and correct copy of a document entitled "[REDACTED]
[REDACTED]", bates stamped as GS0109299 to GS0109328.
- rr. Attached hereto as Exhibit 44 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0004990 to GS0005016.
- ss. Attached hereto as Exhibit 45 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0004777 to GS0004798.
- tt. Attached hereto as Exhibit 46 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0003547 to GS0003569.

- uu. Attached hereto as Exhibit 47 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0004705 to GS0004729.
- vv. Attached hereto as Exhibit 48 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0109235 to GS0109255.
- ww. Attached hereto as Exhibit 49 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0375517 to GS0375540.
- xx. Attached hereto as Exhibit 50 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0375294 to GS0375317.
- yy. Attached hereto as Exhibit 51 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0375741 to GS0375754.
- zz. Attached hereto as Exhibit 52 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0375264 to GS0375276.
- aaa. Attached hereto as Exhibit 53 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0215973 to GS0215975.

- bbb. Attached hereto as Exhibit 54 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0164972 to GS0164974.
- ccc. Attached hereto as Exhibit 55 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0621389 to GS0621406.
- ddd. Attached hereto as Exhibit 56 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0918243 to GS0918289.
- eee. Attached hereto as Exhibit 57 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0176436 to GS0176448.
- fff. Attached hereto as Exhibit 58 is a true and correct copy of the April 19, 2021 Rebuttal Report of Henry Farber.
- ggg. Attached hereto as Exhibit 59 is a true and correct copy of an Email Thread with the subject line "[REDACTED]", bates stamped as GS0204773 to GS0204774.
- hhh. Attached hereto as Exhibit 60 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0954173 to GS0954173.039.
- iii. Attached hereto as Exhibit 61 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS1013182 to GS1013195.

jjj. Attached hereto as Exhibit 62 is a true and correct copy of a document entitled "[REDACTED]"

"[REDACTED]", bates stamped as GS0493421 to GS0493433.

kkk. Attached hereto as Exhibit 63 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0249588 to GS0249631.

lll. Attached hereto as Exhibit 64 is a true and correct copy of a document entitled "[REDACTED]", bates stamped as GS0219988 to GS0220024.

I declare under penalty of perjury under the laws of New York and the United States that the foregoing is true and correct.

Dated: August 9, 2021
New York, New York

By: 
Adam T. Klein